

by the second receiver;

(d) a first receiver portion, disposed in the parent unit, the first receiver portion having:

(i) a first receiver, tuned to the second carrier frequency, for providing an output of the demodulated second reference signal; and,

(ii) a distance resolver, coupled to the first receiver and the signal generator, for providing an output signal dependent on the phase relationship, between the first reference signal and the demodulated second reference signal, that is indicative of the distance between the child unit and the parent unit.

REMARKS

New claims 7 and 8 are presented. These claims correspond to claims 5 and 6 without the reference to an "alarm". Support for a system without an "alarm" is found in the specification at Col. 2, lines 14-15 "If the system is used as a distance determining system, the alarm may be omitted". Allowance of new claims 7 and 8 is respectfully requested.

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Applicants do not understand the Examiner's assertion that the oath/declarations filed with the application are "defective because it fails to identify at least one error which is relied upon to support the reissue declaration". The Examiner's attention is respectfully directed to page 3 of 6 in each Declaration in which the "patentee claiming more or less than the patentee has a right to claim in the patent" box is checked. It is respectfully submitted that such a statement fulfills the CFR requirements. Reconsideration and withdrawal of the rejection based upon an asserted "defective oath/declaration" are respectfully requested.

The Examiner also rejects on the basis that no Assent of the Assignee has been filed. Applicants' attorney's file shows a USPTO post card receipt date stamped May 28, 1999 indicating that the Assent of Assignee was received by the Office. A copy of the post card receipt is attached. However, Applicants' attorney's file does not contain a copy of the Assent of Assignee.

Applicants' attorney will file a duplicate copy as soon as possible.

Claim 5 stands rejected under 35 USC 251 with the Examiner asserting that Claim 5 corresponds to claims 1-13 of application SN 08/355,041 which were canceled in favor of a "claim reciting a combination of encoding and FM modulation and relying on this combination of features for patentability, the limitation that the modulation being deleted in claim 5" (Office Action Paragraph 4). Applicants are puzzled by the Examiner's use of the term "combination" in the previous quotation. The claims are for a "system" not a "combination". Clarification is respectfully requested.

A change of Address Form is submitted herewith.

A check in the amount of \$39 is enclosed for the extra independent claim.

Respectfully submitted,



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